195 39

File No. 3486/36-I

B CLASS

P.W DEPARTMENT
E BRANCH

Subject:— Establishment
Work Charged
Revision of the conditions
of —

15 [K] - 1939

File No. 3486/36 — I.

Std. Secrt. Slip. 24 A

Std. Sectt. 78 e.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

# DOCKET SHEET

*Subject :—*

File No. 3486/36 -I

P.W DEPT.

E BRANCH.

*References :—*

copies from the main file B[M]

| Date. | To whom sent. | Notes and instructions. |
|---|---|---|
| | | |

No. S. 92/17241-E.
Public Works Department,
Bombay Castle, 2nd September, 193

From.

C.E. Aitken, Esquire, I.S.E.,
Secretary to the Government of Bombay,
Public Works Department.

To

The Secretary to the Government of Madras, Bengal,
Punjab,

Public Works Department.

Subject :- Work-charged establishment.

.....

Sir,

I am directed to request that if there be no objection, this Government may kindly be furnished with information on the following points in respect of the work-charged establishment in the Public Works Department of your Province :-

(i) Various categories of establishment employed as Work-charged establishment.

(ii) How establishment such as maistries, Karkuns (clerks), employed on current repairs and continued from year to year as its services are required all the year round is treated, i.e. whether work-charged, temporary or permanent.

(iii) The concessions to members of work-charged establishment regarding :

(a) Leave.
(b) pension or gratuty
(c) Provident Fund.

in case of (iii) (b) the general basis on which the pension or gratuity is granted may please be stated.

2. Establishment, such as mechanical Engineer, Shift Engineer, Foremann Driver, Fitter, Fireman, etc. which is continuously employed in running the water works in this province is treated as work-charged, and under the rules of this Government no pension or gratuity can be granted to it, however long its service may be. A Superintending in charge of a sewage pumping station retired recently after putting in 19 years 'service at the sewage station and 4 years' service elsewhere on the work-charged establishment. His pay and allowances were debited to the maintenance and repairs grant of the sewage station. The Superintendent had done excellent work throughout his service, but he cannot be granted any pension or gratuity under the rules of this Government. This Government desires to know how such cases are dealt with in your province.

I have the honour to be,

Your Most obedient servant,

Id/-.....

Secretary to the Government of Bombay,

Public Works Department.-

D.A. Nil.

Public Works Department,

Irrigation Branch.

Inferior Work-charged establishment.

1. Attendants, Concrete-Mixer.
2. Attendants, Pump.
3. Beldars, Regulation (at Headworks)
4. Beldars, Regulation (elsewhere than at headworks)
5. Beldars, Maintenance (for roads, Banks, etc.)
6. Beldars Plantation.
7. Beldars, Dargen.
9. Beldars, Patrol (River Protection Works)
8. Beldar, Petrol.
10. Bhishties.
11. Bellowsmen.
12. Boatmen or Ferrymen.
13. Boatmen, Naik Head or Jamadar.
14. Boatmen, Naib Jamadar.
15. Rxxft Daraimen.
16. Bullockmen and Cartmen.
17. Caretakers (see Chowkidars)
18. Chowkidars, store.
19. Chowkidars at rest-houses with Crokery.
20. Chowkidars at other Rest-Houses.
21. Cleaners.
22. Cleaners, Machinery
23. Coolies, ordinary.
24. Coolies, workshop or Power.
25. Drivers.
26. Gangmen (Plant and Machinery)
27. Gangmen (Plant and Machinery)
Jamadars
28. Gatekeepers.
29. Greasers, Engine.
30. Hammermen, Ordinary
31. Khalasis, ordinary.
32. Khalasis, Survey
33. Khalasis, Survey Head.
34. Malis.
35. Mali, Head (where more than one mali is employed in the same garden).
36. Mali, Chowkidars (at rest houses).
37. Mates, earthwork.
38. Sweeper.
39. Sweepers, Jamadar.
40. Timdals.

.....

Public Works Department,

B. & R. Branch.

Work-charged Establishment.

Mason Mistri.
Malis.
Jogwalas (Rasul School).
Road Inspectors.
Consolidation Inspectors.
Barring Inspectors.
Mistries (including electricl mistries).
Road mates.
Road Beldars.
Fireman
Work and Road Munshis.
Arboriculture Inspectors.
Machinery Inspectors.
Steam Road Rollers Drivers.
Chowkidars.
Rest House Chowkidars.
Rest House Sweepers.
Road Meharries.
Tar Sprayers.
Carpenters.
Linsman.
Machinery Fitters.
Surveyors.
Guage Readers.
Bhishties.
Electric Coolies.
Godown Chowkidars.
Morter Munshi.

Boat Bridge and steamer establishment.

Daregha Boat Bridge.
Storekeeper clerk.
Sarang.
Engine Driver.
Lascar ~~Xxxxxx~~ Tyndel.
Pilot.
Quartermaster.
Boiler Tyndel.
Donkey Tyndel.
Oilmen.
Fireman.
Landing Tyndel.
Cook.
Sweeper
Lascar for berge.

Carpenter.
Naib Tyndel.
Boatmen
Daffadar.
Asstt. Boat Rower.
Boat Repairer.
Blacksmith.
Fitter.
Launch Driver.
Harmerman.
Workshop coolly.
Turner & Moulder.
Mates-Beldars.

Boat bridge and steamer establishment-concld.

Public Works Department ,

B.& R. Branch.

Work-charged establishment -conclud.

Waterworks Superintendent.
Drainage works Supdt.
Divisional Mechanical foreman
Sub-Divisional Mechanical "
Electrical foreman.
Plumber Foreman.
Foreman Turn Cock Pipe Line.
Foreman Distributed System.
Inspector of works.
Mason and Brick layer.
Inspecting Mistri.
Pipe laying inspecting Mistri.
Pipe Line Inspectors.
Machanics.
Fitters.
Tube-well and Boring Mechanics.
Electrician.
Plubbers.
Mate or Asstt. to Mechanic.
Pipe laying Mistri.
Distributed Mistri.
Black Smith.
Mistri Driver.
Drivers.
Sewage publing plant Attendant.
Pipe Line Ganger.
Asstt. Pipe line Ganger.

Public Health Circle

Pipe Line Labourer.
Foreman.
Stoker.
Boiler Attendent.
Oilman.
Cleaner.
Pumpman.
Gasman's Mate.
Meter Readers.
Lorry Driver.
Keymen.
Turncock Turnkey.
Petrolman.
Reservoir Keeper.
Conservancy Ganger.
Sewermen.
Cartmen.
Estate Munshi.
Store-keeper.
Store-clerk.
Store-munshi.
Store-time &General.
Clerk.
Telephone Attendent.
Swimming Bath Attendant.
Buffaloman.
Chabilman.

Public Health Circle Concld

Contingent Establishment.

Ferro Khalasi.

Beldars.

Bhishties.

Chowkidars.

Cleaners(Rasul School).

Trollymen (Rasul School)

Guard Establishment (RasulSchool)

Coolies.

Farrashes (Rasul School).

Khalasis.

Malis.

Mates.

Sweepers.

Store Coolies.

Charamman.

Workshop Chokidars (Maclagan Engineering College)

Garden Coolies (Maclagan Engineering College.

Workshop Coolies ( Maclagan Engineering College)

Laboratory Bearer (Maclagan Engineering College).

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No. 81-E/18/2139-E.

From

Mr. S.G. Stubbs, O.B.E., I.S.E.,
Secretary to Government , Punjab,
P.W.D., Buildings and Roads Branch.

To

The Secretary to Government Bombay,
Public Works Department,

Dated Lahore, the 8th October 1938.

Subject

Work-Chared Establishment.

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Sir,

With reference to your letter No. S- 92/ 17241-E., dated 2nd September, 1938, I am directed to furnish the following information in respect of the Work-charged establishment employed in the P.W.D. of this province :-

(i) a list of various categories of establishment employed as work-charged is forwarded herewith.

(ii) mistries are employed on the work.charged establishment, but clerks are employed on the permanent or temporary establishment.

(iii) members of the work-charged establishment are not entitled to any pension, or to leave or other allowances except in the cases referred to in para 301 of Government of India, Public works Account code.

2. The establishment mentioned in para 2 of your letter under reference is employed in this Province also on the work-charged establishment and no pension or gratuity is granted to such establishment on retirement. In special cases where the service rendered is over 40 years, and it is regarded as meritorious he is granted a gratuity equivalent to 6 months or a years's pay, under Article 924(b) of the Civil service Regulations, but such cases are few and far between and each case is considered on its merits.

I have the honour to be

sir,

Your most obedient servant.

Sd/-

Registrar.

for Secretary to Government, Punjab,

Public Works Department,

Buildings and Roads Branch.

-d/- (A.C.B.).

D.A.

1 list,

Please see o.m. on p. part.

Id/-... 13-10-50.

.....

Madras Public Works Department Code.

---

G.- Employment of temporary and work-charged Establishments.

I. Temporary Estaglishment.

54. To order to meet the damandfor extra supervision arising from time to time, as well as to provide for the contraction as well as the e xpansion of stall as the volume of work diminishes, or increases, the permanent establishments may be supplemented by temporary establishment to the necessary extent. Temporary establishment will include all such non-permanent, no matter under what titles employed, as is entertained for the general purpose of a division or subdivision or for the purpose of the general supervision as distinct from the actual execution of a work or works- The specific sanction of Government is necessary for the creation of temporary appointments as distinct from work-charged establishment, except as provided in para 55.

** ** **

II. Work-charged establishment.

58. Works establishment will include such establishment as is employed upon the actual execution as distinct from the general supervision, of a specific work or of sub works of a specific project or upon the subordinate supervision of deepartmental labour, stores and machinery in connection with such

a work or sub-works. When employees borne on the temporary establishment are employed on work of this nature their pay should, for the time being, be charged direct to the work.

Note :- 1. Provided the general principles of the rules in paras 54 and 58 are not infringed, the Chief Engineer and Superintending Engineer are empowered in consultation with the Audit Officer, to classify as "works" or "temporary" classes of establishment not covered by these definitions, to waive the rule which prescribes that works establishment must be employed upon a specific work and to determine, in such cases, the proportions in which the cost of such establishemts shall be allocated between the works concerned.

Note 2:- It is irregular to classify the following classes of establishment under the above rule as work-charged establishment :-

i. River Conservancy Inspections,
ii. Channel Superintendents,
iii. Embankment superintendents,
iv. Conservancy.
v. Survey Lascars,
vi. Surveyor Maistry.
vii. Wharf Superintendents.
viii. and other staff intended for general purposes and not properly classifiable as work-charged establishment.

when their pay is Rs. 20 and upwards.

The above establishment should be dealt with under paragraph 54 of this Code.

52. Members of the work-charged establishment are not entitled to any pension, or to leave salary, or travelling or other allowances except in the following cases :-

(a) Wound and other extraordinary pensions and gratuities are in certain cases admissible in accordance with the rules in Part VI of the C.S.R.

(b) For Journeys performed (1) within the jurisdiction of the Local Government or to and from a district or foreign state or settlement adjoining the division in which the establishment is workingand (2) in the interest of the work in which the men are employed, the Divisional Officer may allow the actual cost of transport plus such amount not exceeding the daily allowance of their grade as may be deemed reasonable by the officer ordering the hjourney subject to the condition that the extra allowance will not be payable unless the journey involves an absence of at least one night from headquarters.

(c) Grain compensation allowance is admissible under the subsidiary rules under Fundamental Rule 44 men who are drawing rates of pay which have been fixed with reference to normal circumstances.

1. This rule is not intended to interfere with the discretion of the subdivisional Officer to grant short casual leave on full pay or on reduced wages subject to such general rules regarding the grant of casual leave

to ordinary establishment.

2. This rule does not apply members of the temporary establishment whose pay is charged to works under para 58 of this code. The leave salaries, travelling and other allowances of such establishment are regulated by the rules applicable to temporary establishment.

Note ( 1). The Executive Engineer, Kistna Central Division is permitted to pay the work charged establishment at Divi and in the Bezwada workshops overtime allowances whenever it is necessary to demand overtime work of time.

(2) The General Superintendent, P.W. Workshops, is authorised to grant to the monthly paid checkers and the mechanical staff of the work establishment an allowance of one eighth of day's pay for every hour of overtime worked by the,.

(3) The Electrical Engineer, P.W.D., is authorised to pay the works charged establishment of the electrical division overtime allowance whenever it is necessary to demand overtime work of them.

(4) The Executive Engineer, Godavari Head Works Division, is permitted to pay the work charged establishment in Dowlaishwaram workshops overtime allowances whenever they are required to work overtime.

3. (1) The rules for the grant of concessions to Government servants who have been bitten by rabid animals and who

have to proceed to the Pasteur Institute at Coonoor, the District Headquarter hospitals, or the General Hospital, Madras, for treatment shall be applicable to work charged establishment of the P.W.D.

(ii) The maximum leave admissible to a member of the work charged establishment to whom the concession is extended will be casual leave up to one month, if no substitute is appointed and leave without allowance, if a substitute is appointed. Any leave in excess of one month should be treated as leave without allowance.

(iii) The charges on account of travelling and maintenance allowances should be credited to "47. Miscellaneous charges for the treatment of patients at the Pasteur institute, Coonoor,"

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Public Works Department.,

No. 2800 B/ 38 -2.

From

Ramunni Menon, Esq., I.C.S.,

Secretary to the Government of Madras.

To

The Secretary to the Government of Bombay,

Public Works Department,

Dated Fort St. George, the 4th October 1938.

Sir,

Work-charged establishment - Your letter No. S. 92/17241 .E., dated the 2nd September 1938.

*************

I am directed to forward the following particulars regarding the work-charged establishment Public Works Department, Madras :-

(i) Paragraph 1(i) of your letter :- The categories include (a) Maistries employed to look after the maintenance of Government buildings; a few of them who are skilled artisans are borne however on the regular establishment;

(b) Lascars, mile coolies, canal watches, etc. employed on irregation works; and

(c) Maistries in workshops such as smithshop, foundry, carpenter and yard maistries , fitters, fitter drivers and foreman.

(ii) Reparagraphs 1 (ii) of your letter :-

In addition to the regular staff of supervisors and overseers (permanent and temporary) maistries on the work-charged establishment are employed to the extent necessary and their pay is debited to the estimates for works at 2 ½ %.

(iii) Paragraph 1 (iii) of your letter:- Members of the work-charged establishment are not entitled to any pension , leave salary provident fund or travelling or other allowances except to the extent provided for in paragraph 62 of the Madras Public Works Department code. Ther is proposal to permit them to subscribe to the general Provident Fund.

(iv) Paragraph 2 of your letter:- Gratuity varying according to the length of service is granted to workmen in Public Works workshops. Foreman, foreman fitters and foreman superintendents are admitted to the benefits of the contributory Provident Fund.

2. I am to enclose for information extracts of paragraphs 54,58 and 62 the Madras Public Works Department Code.

I have the honour to be,

Sir,

Your most obedient servant,

Id/- 5-10-38

for Secretary to Government.

MVP.

.....

## Extract from the Bengal Financial Rules.

223. Works establishment will include such establishment as is employed upon the actual execution, as distinct from the general supervision, of a specific works or of sub-works of a specific project or upon the subordinate supervision of the departmental labour, stores, and machinery, in connection with such a work or sub.works.

** ** **

GOVERNMENT OF BENGAL.

Communications and Works Department (C&B).

Establishment Branch.

No. 61(1) E.

From

J.R. Blair, Esq., C.I.E., I.C.S.,

Secretary to the Government of Bengal.

To

The Secretary to the Government of Bombay,
Public Works Department.

Calcutta, the 10th January 1939.

Work-Charged establishment.

.....

Sir,

With reference to your letter No. S. 92/ 17241-E, dated the 2nd September 1938, I am directed to furnishh the following information on the points specified in respect of the work-charged establishment in the communications and Building Branch under the Department of Communications and Works of this province which is the name by which the former Public Works Department of this Province is now known.

(i) There is no authenticated list comprehending the items or classes of establishment employed as

work-charged establishment. Items or classes of work-charged establishment are distinguished by the definition given in rule 223 of the Bengal financial Rules and also in para 10 of the Central Public Works Department Code. The definition is quoted in the statement enclosed. The work-charged establishment in the communications and buildings branch in this Province contains mainly the following :-

Work-overseers

work. sirkers.

work-peons.

store or godown chokidars

electrical mistries, fitters, etc.

In large projects, engineers are also appointed as work-charged establishment.

(ii) Establishment such as mistris etc., is not ordinarily employed for current repairs because in this province both Original works and repairs are generally executed through contractors. Where such establishment is employed, it is treated as work-charged.

(iii) Except short casual leave, there are no concessions for members of work-charged establishment regarding leave, pension, gratuity or provident fund. Rule 226 of the Bengal Financial Rules lays fown that members of the work-charged establishment are not entitled to any pension ~~and Gratuities admissible in and other Extraordinary Pensions and Gratuities admiss~~ or to leave salary except wound and other extraordinary Pensions a nd gratuities admissible in certain

cases i

cases in accordance with the Pension Rules in Chapter XXXVIII of the Civil Service Regulations. In actual practice however a gratuity is sometimes granted in specially deserving cases where long service has been rendered.

With regard to para : 2 of the letter under reply, the establishment employed for the maintenance of waterworks in this Province is not treated as Work-charged. It forms part of the regular establishment of the Public Health ~~Department~~ Branch and is divided into three classes :- (a) permanent establishment (b) temporary establishment and (c) contingency menials. Members of class (a) are allowed pensions. No pension or gratuity is granted to classes (b) and (c)

I have the honour to be

Sir,

Your obedient servant,

Id/-

....

Secretary.

Id/-...

P.M. 10.1.

B.M.

1731/36

Office note. Public Works Deptt.

The information about the strength of establishments in this Department required by the H.M. P. W. D.. and called for in the Government Ex.Letter of 16-9-38 has been received from the local officers in prescribed tabular form, except from the S.E., N.C., and the S.E., S.C., who were expedited by wire on the 26-9-38. Information about work-charged establishment in the Khandesh Division is also awaited from the S.E., C.C. The papers may be submitted to the H.M., P.W.D., with reference to his note of 15.9-38. The reports till to be received will be submitted in continuation on receipt from the local officers.

This is in to-day's Post
H. R. H. H.
30-9

3. As regards the Secretary's note, dated the 15-9-38 a temporary man's pay is reduced by 16 p.c. on promotion to permanent establishment according to the existing general orders on the subject. Accordingly, there will be considerable immediate saving in the cost of establishment if all temporary and work charged m men are made permanent and their starting pay on permanen establishment is fixed by reducing their present pay by 16 1p.c. In this connection, the following extract is reproduced from the F.D.note dated the 6-2-29 underlying G.R. No. 1712/27, dated the 15-8-1929 :-

"Besides, in similar cases in the past clerks drawing higher rates of pay on temporary posts, when bro-

brought on permanent establishment have been given starting rates of pay after deducting 16p.c. from their present pay. This. 16 p.c. represents the value of the concession of pension which they then derived by being made permanent, vide F.D. note sliped Q in collection Non-gazetted establishment. put up andalso Government memo P.W.D. No. 751/27-E dated 10-10-27, fixing Mr. Dave's pay as permanent store-keeper. It appears that F.D. has decided that in such cases the above principles of deducting 16 p.c. from the pay of temporary man and then starting him in the permanent time- scale should be followed. ". Reference is also invited to Mr. Fyeke's note dated the 28-9-27 in file 751/27 in which the value of pension is stated to be one-sixth of pay.

Id/- 29-9-38.
30

Id/- U.N.M.

Margin
Id/- R.H.H. 30/9.

By . Secretary
I & R. Deputy Secretary ...

The 16p.c. deduction will not however be made in all cases in future. Temporary men used to get higher pays than permanent because they get no pension but now Temporary men are appointed on scales corresponding to those of permanent men and such a heavy cut will not be justified.

The general case of making as many of these temporary and work-charged men as possible permanent will be proceeded

with.

Id C.E.A.

1-10.

Secretary.

Submitted.

M.M., P.W.D., This case has been pending for a long time. It should be reported as early as possible.

Id/ R.H.H.

6-10.

Id/-. C.E.A.

5-10.

Id/- M.T.W(urie)

5-10.

1731/36

E.B. Public Works Department.

Submitted in continuation of the notes at pp. 71-72 ante. Complete information about the strength of the various classes of subdtes. estabts. in this Department has now been submitted by the local officers. Information about the staff under the Electrical Engineer to Government Con. P.H. Engineer to Government and Mr. Inglis is given at pp. 9-19 ante. Information about the strength of establishment under the S.E.s of Circles is given below:

| Class of Establishment. | Permanent estabt. | Temporary estabt. | Work-charged estabt. |
|---|---|---|---|
| 1. Subdte. Engineering establishment such as Supervisors, Overseers, Surveys, Mechl Eng Engineers etc ..... | 289 | 61 | 97 |
| 2. Head draftsmen, draftsmen and asstt. draftsmen. | 42 | 23 | -- |
| 3. Tracers and computers | .. | 61 | 35 |
| 4. Store-keepers and asst. Store.keepers .. | 22 | 9 | ... |
| 5. Clerical estabt. including head clerks, accountants, karkuns, etc. | 279 | 560 | 493 |
| 6. Irrigation establishment such as insprs, Karkuns, Measurers, Patkaries, Khalasis, singnallers, Sluice keepers, keymen Chewkidars, tapalies, mucadams, tindals etc. | 1 | 935 | 63 |
| 7. Misc. establishment such as mechanic, carpenters, fitter polishmen, foreman, drivers oilmen fireman clearners, maistries etc. | 7 | 10 | 660 |
| 8. Inferior servants such as havaldars, naiksn peons, tepalies, hamals, Khalasis, lascars, darwans, Chewkidars, mucadams, malis, liftmen, draftaries coolies, sweepers, etc. | 155 | 385 | 1,263 |

| | | | |
|---|---|---|---|
| Total. | 795 | 1,844 | 2,611 |

Id/. 12-10-38 Id/- U.N.M.

12-10-38

Id/- R.H.H.

17-20- Deputy Secretary

Deputy Secretary

Submitted as desiredon p.1. for further orders.

Id/- C.E.A.

13-10-

H.M. P.W.D.,

Please supply me this information in the form of a chart and of all Circles.

Id/M.YN.$(arie)

18-10-

Early.

Id/- C.E.A.

14.10.

-u/- R.H.H.

15-10-

E.B. Public Works Department.

Resubmitted with reference to H.M.'s note within.

2. The required information has now been shown separately for each Circle in the accompanying Chart which may be submitted to the H.M.

Id/- G.S,G.
5-11-38.

Submitted with reference to H.M.'s note pages 101-102.

Id/- R-H.H. 7-11

Id/- C.E.A.
8-11-

Deputy Secretary Secretary.

Submitted.

H.M., P.W.D., I have discussed this case with the Secretary.P.W.D. about considering the question of all servants in the Department who would be made permanent and these who could be taken up as temporary from work charged. A report be submitted after careful consideration.

ID/- M.Y.N.(urie)
10-11-

As some decision or rather agreement has been come to with F.D. over method of dealing with these establishment general case may now be taken up.

Rev. estabt. will have to wait. I am afraid but draftsmen, tracers, store-keepers etc.

are deserving of urgent consideration.

Id/. C.E.A.

12-12-

Secretary.

E.B.

Office note.:

This necessary copies from this file have been kept on the general case regarding temporary and workcharged establishement to be made permanent for dealing with this question seapnnately on that file.

Id/ Y.K.T.

23-1-39.

Record.

Id/ - P.F.D.

23-1-39

Asstt. Secretary.

M.K.P.
28-3-39.

3486/36

Memorials from work-charged establishment for improvement of their conditions of service.

Note in E.B.

These papers deal with the improvement of the conditions of service etc. of the workcharged establishment. In march 1938 the S.E. D.I.C. forwarded some memorials from the members of the work-charged establishment which contained requests for removing the following grievances :-

(1) Instability of service.

(2) Meagre scales of pay.

(3) No definite system of promotion.

(4) Increase in the rates of allowances at present admissible.

(5) Provision for leave etc.

(6) Restoration of emergency cut.

(7) Provision for gratuity etc.

In Government Memo. No.S. 92/8878-E, dated the 16-4-38 the local officers were requested to offer their remarks on each of the grievances detailed above. These have been received and are summarised in the statement at pp. 98-114 ante. Please see in this connection copies of the notes at pp. 95-96 ante.

2. Similar representations were also received from members on the work-charged establishment of the

Poona water Works Division. It was proposed to deal with them along with the requests of the work-charged establishment in general.

3. In Government letter No. S. 92/17241 - E, dated the 2-9-38, the Government of Madras, Bengal and Punjab were requested to furnish information on the following points in respect of the work-charged establishment in their Provinces.

(i) Various categories of estabt. employed as work-charged establishment.

(ii) How the establishment such as miastries, Karkuns employed on current repairs and continued from year to year is treated.

(iii) Concessions to work-charged establishment in the matter of - (1) leave (2) pension or gratuity and (3) Provident Fund.

(iv) Grant of pension of gratuity to establishment employed in running the water works.

The reports received from these Government have been made use of in putting up the proposals in the office note in the statement.

4. The other Governments were also addressed as regards the treatment given in the respective Provinces to the establishment such as Mechanical Engineer Shift, Engineer, Foreman, Driver, etc. which is continuously employed on water works. A specific mention was also made of the case of the Superintendent in charge of the sewage pumping station - vide Government letter No. S.92/17241-E, dated the 2-9-38. In the Bengal the establishment for the maintenance of water

works forms part of the regular establishment of the P.H.Deh and is divided into three classes, viz.

(1) Permanent establishment.
(2) Temporary establishment.
(3) Contingency manuals.

Members of class (1) are allowed pensions. No pension or gratuity is granted to classes (2) and (3) In Punjab similar establishment is employed on work-charged establishment and no pension or gratuity is granted to such establishment on retirement. In special cases when the service is over 40 years gratuity equivalent to 6 months or a year's pay is granted. These cases are few and far between. In madras Gra gratuity varying according to the length of service is granted to workmen in P.W. workshops. Orders are requested whether question of making the staff of the water works permanent may be persued further and if so on what lines.

I agree.
Sd/- 16-5.

I don't agree I consider 55 should be age for all out door establishment.

5. The S.E., N.C. has raised the question regarding the age of superannuation of members of the work-charged establishment and recommends that it may be fixed at 55 years. Ministerial Government servant may be retained in service till they attain 60 years of age provided they are physically and mentally fit to do dischange their duties satisfactorily. The same principle may be applied to members of the work-charged establishment.

6. On receipt of orders on the various points raised

in the statement within and the above paras. necessary further action will be taken.

Id/- 11-5-39.

Please see remarks in table pages 98 to 117 ante.

Id/- 16-5-39.

Id/- 16-5-39.

M.K.P.

29-4-39.

Finance Department.

These papers deal with the grievances of the work-charged establishment in the P.W.D. The statement at page 98-113 enumerates the grievances, summarises the views of the Superintending Engineers and also contains the P.W.D. views. The following remarks are offered on the P.W.D. proposals.

Grievance (1)

Please see the P.W.D. notes in the statement at pages 99-103 . The P.W.D. considers that these members of the work-charged establishment who are regularly and continuously employed should be taken up on the permanent establishment, a certain proportion being retained on temporary establishment to allow for contraction as has been done in all other cases and that establishment employed from day to day for specific works only should remain work-charged. The P.W.D. has not specified the proportion of the establishment which is to be made permanent nor has the financial effect of the proposal been worked out. Attention is, in this connection, invited to G.C., F.D., No. 1787/33 dated 9th March 1939, especially para 4 (c) thereof. The P.W.D. states that "work-charged" establishment can be divided into the following two distinct categories :-

(i) Work-charged establishment employed from year

to year for the proper upkeep of Government buildings, roads, canals etc., and

(ii) Other workcharged establishment i.e. establishment employed occasionally in connection with works,

A certain proportion of the first category is proposed to be made permanent. If the establishment is being continued from year to year, it is not clear why it is called "Workcharged" as it appears from the definition of the term "Workcharged establishment that the establishment is employed for specific works and is disbanded as soon as the works are finished. It will be seen from para 2 of G.C. No. 1787/33 dated 9th March 1939 (in which we have asked Heads of Offices to furnish certain information, that the criterion to be followed in proposing the grant of the benefits admissible to permanent employees should be whether the posts in which men are employed are required permanently. Also please see in this connection para 3 of the Circular. The P.W.D. may in the first instance, be requested to state whether the criterion referred to at 'A' above is fulfilled in this case. and if so, why the establishment is described as workcharged establishment. That Department may also be requested to specify the number of posts to be made permanent and to furnish an estimate of the cost involved. Attention is invited to Secretary's note dated 10-8-38 (copy at page 40 ante), in this connection.

Grivance (2)

Please see the P.W.D. notes in the statement at page

page 105 ante. The P.W.D. is separately considering the qu question of fixing pay scales for various classes of temporary establishment to be made permanent. The P.W.D. states that the same scales which will be sanctioned for th these classes will be applicable to members of the workcharged establishment proposed to be made permanent. In regard to members who will remain 'Workcharged' the present rates of pay are considered s sufficient. F.D. may agree so far as the point of Educational qualifications is concerned, the P.W.D. may be requested to consult the P.&S.D.

Grievance (3) :-

It appears from the replies of the superintending Engineers that looking to the nature of the work the workcharged men are required to perform and their qualifications, the rates of pay allowed at present are considered sufficient. The P.W.D. has not made any specific recommendation so far as this grievance is concerned. It is presumed that the P.W.D. agrees with the views of the superintending Engineers.

Grievance (4) :-

Conveyance allowance and daily allowance. Please see P.W.D. notes at pages 106-107. The P.W.D. recommends no change in the rates of conveyance allowances. That Department, however, recommends that members of work-charged establishment may be given daily allowance when they travel outside their jurisdiction.

At present for journeys outside the jurisdiction, these men are given actual railway fare or road mileage, but no daily allowance. The present rule in the P.W.D. Manual is as follows

"565 .....

(b) Actual travelling expenses may be allowed by the Divisional Officer for journeys performed (i) within the jurisdiction of his Government or to and from a district or Foreign State or Settlement adjoining his division and (2) in the interest of the work on which the men are employed."

It is not understood why daily allowance was not given up to-now. If it is to be given now it will first be desirable to ascertain the approximate extra cost to Government. The number of men borne on work-charged establishment is 2611 and obviously the extra cost will be great. It is suggested that before the proposal is considered further the P.W.D. may be requested to give an estimate about the extra cost that may be incurred by the grant of daily allowance. That Department may also state what is meant by "journeys beyond jurisdiction since that expression may either refer to the jurisdiction of the divisional officer under whom the man is working or the actual sphere of duty of the man concerned.

Grievance (5): Leave :-

Please see the P.W.D. notes at pages 108-109

The P.W.D. does not recommend any change in the existing

rule which is contained in para 565 -A of the P.W.D. manual. No remarks of F.D. are called for.

Grievance (6) :-

The P.W.D. proposes to negative the request of the memorialists for the restoration of the 10% cut. F.D. has no remarks to make.

Grievance (7):-

With regard to the grant of pension or gratuity, Please see the P.W.D. Deputy Secretary's note at page 113 agreed to by the Secretary. P.W.D. F.D. may a agree with the P.W.D. As regards the proposal to admit members of the work charged establishment who have prospects of remaining in service for more than three years to subscribe to the G.P. Fund. Please see the P.W.D. note on P 113 ante. F.D. need have no objection to the proposal provided such of the work-charged establishment as is admitted to the G.P. Fund is classed as superior. As the Subject provident Funds' has now been alletted to the P.& S. Department. that Department may see u.o. with regard to this point.

Id/- 13-6-39 Id/- 29-7-39

Id/- 14-6-39. P. W. D. Thro' P.&S.D.

u.o. 45 P.W.D. dated the 2-8-39,

## Political and Service Department.

The points at issue, so far as P.& S.D. is concerned, are -

(i) that minimum educational qualification for admission to, and some practical test examination after 4-5 years of the commencement of service on the work-charged establishment in the P.W.D. may be prescribed and

(ii) that members of the work-charged establishment who have prospects of remaining in service for more than 3 years should be allowed to subscribe to the G.P.Fund.

.....

As regards (i), P.W.D. proposes that this should be left to the local officers who are in the best position to select suitable men for the jobs that become available. Looking to the type of recruits taken on this establishment and the nature of their duties the suggestion of the P.W. D. seems the only right course to adopt.

With reference to (ii), it may be stated that unless the work-charged men are classed as superior and the heads of offices concerned are in a position to certify that temporary men have been employed or are likely to be employed for 3 years, it will not be possible to give them the benefit of rule 4 of the Bombay General Provident Fund Rules, 1936. If the above two tests

are satisfied, there will be no difficulty in admitting them to the benefits of the Fund. It will not be possible to relax the rule in favour of the work-charged men if they continue to remain what they are present are.

Id/- 15-8-39.

I agree, on point (i) we agree with P.W.D. (p.105) and on point (ii) with F.D. P. 124.) D.S.

Id/- 22-8-39.

U.O.R. to P.W.D. dated the 23.8.39.

3486/36/21727.

E.B.

Submitted (together with Sr. No. 7076).

2. The several points discussed in the F.D. and the P.&S.D. notes within are noted in the following paras.

3. Financial effect of the proposal.

The local officers will have to be addressed in the matter. The draft put up is for approval.

4. The F.D. wants to know way the establishment which is now proposed to be brought on the permanent or temporary establishment was described as work-charged establishment. Obviously the practice at present followed in this Department of retaining establishment continued for years together on the work-charged establishment was not in consonance with the definition of the W.C. establishment. This Department now proposes to remedy the defect.

5. Educational qualifications for the W.C. establishment.

The P.&S.D. agrees with the proposal made by this Department that the minimum qualifications necessary for admission may be safely left to the local officers. They will be informed accordingly when the final orders are communicated to them.

6. Grant of daily allowance to W.C. establishment.

As regards portion 'A' at pa. 124 ante of the

*beyond jurisdiction means a journey

F.D. O.N. it may be explained that journey* undertaken by a subdte. outside his actual sphere of duty. The extra cost involved if the proposal at p. 107 ante is accepted will be ascertained from the local officers.

7. Permission to subscribe to the G.P. Fund.

The F.D. and the P.&S.D. have no objection to the proposal made by this Department provided such of the W.G. establishment as is admitted to the G.P. Fund is classed as "Superior". Necessary further action in this connection will be taken after consulting the local officers.

8. Sr. No. 24727. In his letter at pp. 75-77 ante the S.E. N.C. has raised the question as regards the age of superannuation of the Work-charged establishment. The late Secretary considered that 55 years should be the superannuation limit for all outdoor establishment. In view of the orders issued in F.D. G.R. No. 3162/33, dated the 9-8-39, the age of superannuation in respect of all the establishment (Ministerial) will be 55. In view of this no furtherrorders appear necessa in the matter beyond inviting the attention of the S.E., N.C., and the other local officers to the above orders.

9. The draft put up may issue

Id/- 21-9-39

Id/- 15-9-39.

No. 3486/36.E.

Public Works Department.

Bombay Castle, 27th September 1939.

Memorandum.

Subject :- Work-charged establishment

Improvements in the conditions of the -

The undersigned presents compliments to the Superintending Engineers of Circles, the Electrical Engineer to Government and the Consulting Public Health Engineer to Government and with reference to their replies received in response to Government Memorandum No.S. 92/8878 E, dated the 16th April, 1938, on the subject noted above, is directed to observe as under -

2. It is proposed, subject to the approval of Government, that such members of the Work-charged establishment at present in service who are regularly and continuously employed from year to year should be rough on the permanent establishment, a certain portion however being retained on the temporary establishment to allow for the expansion or contraction of the Department as the works expenditure increases or decreases. Establishment which strictly falls within the scope of paragraph 562 of the Bombay Public Works Department Manual will only be retained on the work-charged establishment. Infor.- mation in respect of persons to be made permanent, these

* and those to be returned on the work-charged establishment

to be brought on the temporary establishment should be furnished seaparately in the accompanying form. In submitting proposals to bring the staff on to the permanent establishment, the criterion to be applied should be whether the posts in which the men are at present employed are required permanently, vide Finance Department, Government Circular Memorandum No. 1787/33, dated the 9th March 1939.

.....

3. It is also proposed that members of the work charged establishment should be held admissible for daily allowance, as admissible to corresponding permanent establishment for halts outside their sphere of duty. Information regarding the extra cost which will be incelved, if the proposal is finally approved by Government, may be shown in the attached form.

4. Such of the members of the work-charged establishment who have prospects of remaining in services for more than 3 years are proposed to be admitted to the General Provident Fund provided they are classed as "Superior". The Superintending Engineers, the Electrical Engineer to Governmentand the Consulting Public Health Engineer to Government are requested to submit their recommendations regarding the classes of work-charged establishment to be classed as superior and admitted to the benefits of the General Provident Fund.

5. In view of the orders issued in Government Resolution, Finance Department, No. 3162/33, dated the 9th August 1939, the age of superannuation of the members of

the work-charged establishment should be 55 years.

By order of the Governor of Bombay,

Id/- 19-9-39

Deputy Secretary to the Government of Bombay
Public Works Department.

D.A. - Form referred to.

Typed by BKR.

28-9-

Compared by Id/- 29-9-39.